

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

OPINION, MEMORANDUM AND ORDER

Before the Court is plaintiff's motion for reconsideration of the denial of his motion for appointment of counsel. After reviewing the record in its entirety and the breadth of plaintiff's pleading practices, the motion will be denied at this time.

There is no constitutional or statutory right to appointed counsel in civil cases. *Nelson v. Redfield Lithograph Printing*, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors, including (1) whether the plaintiff has presented non-frivolous allegations supporting his or her prayer for relief; (2) whether the plaintiff will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the plaintiff's allegations; and (4) whether the factual and legal issues presented by the action are complex. *See Johnson v. Williams*, 788 F.2d 1319, 1322-23 (8th Cir. 1986); *Nelson*, 728 F.2d at 1005.

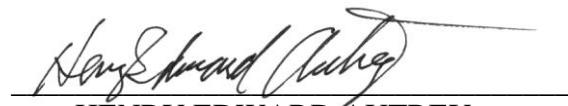
Although this case has not yet proceeded to discovery, there has been considerable motion practice in this case. The Court has reviewed plaintiff's allegations presented in his complaint, as well as his motion practice, and finds that the facts and legal issues involved are

not so complicated that the appointment of counsel is warranted at this time. Moreover, plaintiff has been able to articulate his viewpoints on his own up through this point in the litigation.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for reconsideration of the denial of his motion for appointment of counsel [Doc. #95] is **DENIED** without prejudice.

Dated this 5th day of May, 2015



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE